But we do not read § 666 (a)(2) as being restricted to appropriated rights acquired under state law. In the first place "the administration of such rights" in § 666 (a)(2) must refer to the rights described in (1) for they are the only ones which in this content "such" could mean; and as we have seen they are all inclusive, in terms at least. Moreover, (2) covers rights acquired by appropriation under state law and rights acquired "by purchase" or "by exchange," which we assume would normally be appropriated rights. But it also includes water rights which the United States has "otherwise" acquired. The doctrine of *ejusdem generis* is invoked to maintain that "or otherwise" does not encompass the adjudication of reserved water rights, which are in no way dependent for their creation or existence on state law.[3] We reject that conclusion for we deal with an all-inclusive statute concerning "the adjudication of rights to the use of water of a river system" which in § 666 (a)(1) has no exceptions and which, as we read it, includes appropriate rights, riparian rights, and reserved rights.

It is said that this adjudication is not a "general" one as required by *Dugan* v. *Rank*, 372 U. S. 609, 618. This proceeding, unlike the one in *Dugan*, is not a private one to determine whether named claimants have priority over the United States. The whole community of claims is involved and as Senator McCarran, Chairman of the Committee reporting on the bill said in reply to Senator Magnuson:[4] "S. 18 is not intended . . . to be used for any other purpose than to allow the United States to be joined in a suit wherein it is necessary to adjudicate all of the rights of various owners on a given stream. This is so because unless all of the parties owning or in the process of acquiring water rights on a particular stream

[3] See Note, 48 Cal. L. Rev. 94, 111 (1960).

[4] S. Rep. No. 755, 82d Cong., 1st Sess., p. 9. And see *Pacific Live Stock Co.* v. *Oregon Water Bd.*, 241 U. S. 440, 448.

can be joined as parties defendant, any subsequent decree would be of little value."

It is said, however, that since this is a supplemental adjudication only those who claim water rights acquired since the last adjudication of that water district are before the court.[5] It is also said that the earliest priority date decreed in such an adjudication must be later than the last priority date decreed in the preceding adjudication.[6] The last water adjudication in this water district was entered on February 21, 1966, and the United States was not a party to that or to any prior proceeding in this water district. The United States accordingly says that since the United States cannot be barred by the previous decrees and since the owners of previously decreed rights are not before the court, the consent envisaged by 43 U. S. C. § 666 is not present.

We think that argument is extremely technical; and we decline to confine 43 U. S. C. § 666 so narrowly. The absence of owners of previously decreed rights may present problems going to the merits, in case there develops a collision between them and any reserved rights of the United States.[7] All such questions, including the volume and scope of particular reserved rights, are federal questions which, if preserved, can be reviewed here after final judgment by the Colorado court. *Affirmed.*

MR. JUSTICE HARLAN's concurring statement follows the opinion in No. 812.

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[5] Rev. Stat. § 148–9–7.

[6] *Id.*, § 148–9–13.

[7] The Colorado court stated:

"We are not determining whether the United States has reserved water rights in connection with lands withdrawn subsequent to August 1, 1876, the date of Colorado's admission to the Union; nor, if so, whether these rights have priority over previously adjudicated rights. These questions properly should be decided after the United States presents its specific claims for adjudication and the issues of fact and law are clearly drawn." 458 P. 2d, at 770.